

TYRINGHAM ZONING BY-LAWS

BERKSHIRE COUNTY
TOWN OF TYRINGHAM

SECTION 1: PURPOSE AND VALIDITY

1.1 Purposes

The purpose of this Bylaw is to provide for the TOWN OF TYRINGHAM all the protection authorized by the General Laws of the Commonwealth of Massachusetts, Chapter 40A as amended, and to promote the health, safety, convenience and welfare of the inhabitants of the Town.

1.2 Conflict Of Laws, Validity, Severability

1.2.1 This Bylaw repeals and replaces the Bylaw of the TOWN OF TYRINGHAM presently designated Chapter VI, adopted on February 3, 1941, and any subsequent amendments made thereto or replacements thereof.

1.2.2 Where this Bylaw imposes a greater restriction upon the use, height, and the area of buildings or structures or the use of premises than is imposed by other Bylaws of the TOWN OF TYRINGHAM, the provisions of this Bylaw shall control.

1.2.3 The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof.

1.2.4 In case of any conflict between the wording of this text and the Massachusetts General Laws, the Massachusetts General Laws shall govern.

SECTION 2: DEFINITIONS

2.0 *Accessory Building*: A subordinate building, the use of which is customarily incidental to that of a principal building and located on the same lot therewith.

2.0.1 *Accessory Use*: A use customarily incidental and subordinate to the principal and located on the same lot therewith.

2.1 *Dwelling, One-Family*: A detached residential building, containing one dwelling unit designed for and occupied by one (1) family only, but not including mobile homes whether placed on a foundation or not.

2.2 *Dwelling, Two-Family*: A detached residential building containing two (2) dwelling units.

2.3 *Dwelling Unit*: One or more rooms constituting a separate independent house-keeping establishment with cooking, living, sanitary and sleeping facilities for the use of one (1) family.

2.4 *Family*: One or more individuals related by blood, marriage or adoption, or not more than five individuals who are not so related living in a single dwelling unit.

2.5 Customary Home Occupation: Self-employed resident occupants in their private homes working at an occupation which is limited to the home, carried forth at home, employing no persons outside the household, utilizing no outside structure or equipment, and requiring no more off-street parking facilities than would ordinarily be used by the household, such as dressmaking, preserving, or home cooking, real estate agent, photographer, the giving of private music and dance lessons, or a one-chair beauty parlor. Customary home occupation does not include gift shop, antique shop, or art gallery or similar retail establishment.

2.6 Lot: An area of land in one ownership with definite boundaries, used or available for use as the site of one or more buildings.

2.7 Lot, Frontage: The continuous distance along the street line which provides direct access to the lot, except for lots in a turnaround in an approved subdivision where frontage shall be measured at the minimum front setback line as provided in Section 5.1, herein, provided, however, that in order to qualify for frontage under this Bylaw frontage distance shall be maintained for a depth of 30 feet.

2.8 Mobile Home: A vehicular portable completely enclosed structure built on a permanent chassis, designed as a dwelling unit to be transported after fabrication on its own wheels or on flatbed or detachable wheels. For the purpose of this Bylaw, the term "mobile home" includes trailers incorporating the characteristics of mobile homes as herein defined whether on a foundation or not.

2.9 Municipal Use: Any Town of Tyringham use of land in accordance with statutory laws governing municipal powers and functions including participation in regional uses.

2.10 Street: A public way, or a private way either shown on a plan approved in accordance with the Subdivision Control Law, or otherwise qualifying lots along it for frontage under the Subdivision Control Law.

SECTION 3: ESTABLISHMENT OF DISTRICT

3.1 The Town of Tyringham is hereby zoned as: Agricultural-Residential District

SECTION 4: USE REGULATIONS

Every person or legal entity hereafter planning to construct, structurally alter, or add to a building or to move within or into the town any building structure for the use or availability as a dwelling shall first obtain from the Building Inspector, a permit duly granted in conformity with all provisions of this Bylaw. Such permits shall be issued or denied within fifteen (15) days of receipt of an application properly executed. Except as provided by law or in this Bylaw, no building or structure shall be erected, and no building, structure or land or part thereof shall be used for any purpose or in any manner other than one or more of the uses hereinafter set forth as permitted by right or as permissible by special permit and so authorized. Any special permit granted under this bylaw shall lapse within two (2) years if a substantial use thereof has not commenced within the two years, except for the good cause shown or in the case of construction unless construction has been commenced within two years.

SECTION 4: USE REGULATIONS

4.1 Uses Permitted by Right

4.1.1 One or two family dwelling and related accessory buildings.

4.1.2 Agricultural purposes, including all types of farming, dairy farming, growing crops, nurseries, greenhouses, maple sugar production, including necessary structures.

4.1.3 Religious or educational use on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic, or by religious sect or denomination, or by a profit or

nonprofit educational corporation. Any non-municipal educational use or any religious use is subject to the following regulations:

REGULATIONS

1. Maximum building height - 1 story or 20 feet.
2. Maximum building coverage - 5% of the lot area on which it is located.
3. Setback - two hundred (200) feet buffer surrounding the property to be kept undeveloped except for entrance and exit roadways.
4. Major access roads and major parking areas subject to frequent use day or night shall be paved. Major roads to be eighteen (18) feet wide and shall not exceed a 7 1/2% grade.
5. Parking areas shall be screened.
6. Parking areas shall be within three hundred (300) feet of the building to be served.
7. Parking requirements:
 - A. Places of assembly: 1 space for every three (3) seats
 - B. Classrooms and / or dormitories:
 - Grades 1-10 - 1 space for each staff member
 - for Grades 10-12- 1 space each staff member plus 1 space for every two students
 - College- 1 space for each staff member plus two (2) spaces for every three (3) students.
- 4.1.4 The use of a room or rooms in a dwelling or accessory building by a resident occupant for practice of a recognized profession, or by a resident carpenter, painter, plumber, electrician, or other tradesman in connection with his/her trade, or by a resident engaged in a customary home occupation, provided that there is minimal external evidence of any business other than a permitted sign. Such business shall not employ more than five (5) people.
- 4.1.5 Rental of not more than six (6) rooms in a dwelling by a resident family provided that no separate kitchen facilities are maintained.
- 4.1.6 The display and sale by a resident of the premises at a roadside stand or otherwise, of farm products the major portion of which are produced on the premises.
- 4.1.7 Display of sign or signs as regulated in Section 6.2 of this Bylaw.

This is deleted at Town Meeting 2004
- 4.1.8 Swimming Pools
 1. A fence of at least four feet in height shall be constructed surrounding in-ground private swimming pools.
 2. Such fence shall be constructed so as to prevent children from climbing over, under, or through it and shall be equipped with a gate which shall be kept closed when not in use.
 3. Any existing swimming pools must meet the above requirements within six (6) months of the effective date of this Bylaw.
- 4.1.9 Water towers or reservoirs, pumping stations and water treatment plants.
- 4.2 Special Permits. Uses which may be Authorized by the Planning Board by Special Permit in Accordance with the Provisions of this Bylaw.
 - 4.2.1 Sawmill, Commercial dog kennel or veterinary hospital.

4.2.2 Golf Course, ski tow, riding stable or other recreational facility of similar character.

4.2.3 Retail business or consumer service establishment, including but not limited to food store, barber, or beauty shop, antique shop, eating establishment, bank or other office use, subject to the following special requirements:

A. The lot, and its adjacent properties where specific agreements have been secured for such purposes only as long as those agreements are in force, shall be sufficient in size so as to provide suitable off-street parking area with adequate disposal of storm water, capable to accommodate parked vehicles for the maximum capacity use of the proposed facility.

B. No commercial building, structure, parking area or driveway providing access to or from a public way for such use shall be located within fifty (50) feet of any side or rear property line, unless specifically otherwise authorized by the Board.

C. The display, storage and sales of products and merchandise are conducted within a building.

D. Such business shall not employ more than ten (10) permanent employees.

4.2.4 Municipal Uses

4.2.5 Public Utilities

4.2.6 Trailers and Mobile Homes:

The Board of Selectmen may grant a special permit pursuant to General Laws, Chapter 40A, Section 9 and amendments thereto for a travel trailer provided:

A. Said permit shall not extend longer than one (1) year.

B. The travel trailer is to be used as temporary living quarters by the owner of the premises.

C. The owner is in the process of constructing a dwelling as a separate structure on the lot.

D. The owner shall comply with all provisions of the State Environmental code, Title 5, and with regulations of the Board of Health.

E. Said travel trailer is not injurious, offensive, or noxious. Notwithstanding this provision, nothing shall prevent a trailer from remaining on any premises, if the same is not used on premises for dwelling purpose, and nothing shall prevent any travel trailer from being replaced by another unit.

4.2.7 Wireless Communication Facilities

4.3 Apartments; Two-Family Dwellings

A dwelling may be converted to a two family dwelling by right, subject to the following requirements:

A. Renovation plans and elevations and the location of the building on the lot must be approved in writing by the Planning Board, Board of Health, Board of Selectmen, Conservation Commission and the Building Inspector in respect to their special fields of responsibilities.

B. Design plans shall contain provisions for 1.) No more than a total of two dwelling units, 2.) Adequate water, 3.) Sewage disposal facilities and 4.) Off street parking - minimum two per dwelling unit. All plans shall be in conformity with building codes.

C. Fire escapes or outside stairways leading to a second story shall not be located on a wall facing a road and shall not occupy any part of the rear or side setbacks under Section 5.5.1 of the bylaws, except in case of hardship.

4.4 Demolition Delay

4.4.1. Purpose - This Bylaw is enacted for the purpose of preserving and protecting significant buildings within Tyringham which reflect distinctive features of the architectural, historical and cultural heritage of the town and to encourage owners of such buildings to seek ways to preserve, rehabilitate or restore them rather than demolish them. To achieve those purposes, the Tyringham Historical Commission is empowered to advise the Building Inspector with respect to the issuance of permits for the demolition of significant buildings. The issuance of demolition permits for significant buildings is regulated as provided in this bylaw. 4.4.2 Definitions - 1.

Building Inspector: The person occupying the office of Inspector of Buildings or otherwise authorized to issue demolition permits.

2. Commission: The Tyringham Historical Commission

3. Demolition: An act of pulling down, destroying, removing or razing a building or a substantial portion of a building, or commencing the work of total or substantial destruction with the intent of completing same. This would not include removing or replacing decks or porches.

4. Historic Resources List: Tyringham buildings on the National Register of Historic Places, or the State Register of Historic Places, or recorded by the Commission in the Local Inventory of Historic Resources, or built one hundred years ago or earlier.

5. Preferably preserved: Any historically significant building deemed by the Commission to have an important association with the economic, political or cultural development of the town or with important state or national figures or to be an outstanding or last remaining example of a recognized architectural style.

6. Significant building: Any combination of structural materials forming a shelter for persons, animals or property, included on the Tyringham historic resources list to be provided to the Building Inspector by the Commission, or built one hundred years ago or earlier.

4.4.3 Procedure

1. Determination by Building Inspector - Upon receipt of a completed application for a demolition permit, the Building Inspector, in consultation with the Commission, shall establish whether the building is a significant building as defined above. If it is, the demolition permit shall be withheld and the Building Inspector shall forward a copy of the application to the Commission within seven days of filing. The applicant may appeal the Building Inspector's decision by filing an appeal with the Zoning Board of Appeals within 21 days, which Board shall hear such appeal in the same manner and following the same procedures it follows for zoning applications appealing the decision of the Building Inspector. The time periods defined in succeeding sections of this Bylaw shall, if necessary, begin to run after the Zoning Board of Appeals has filed its decision with the Town Clerk.

2. Public Hearing - Notice - After receipt of the permit application, the Commission shall fix a public hearing within 45 days to determine if the building is preferably preserved. Public notice shall be published in a local newspaper by the Commission at the cost of the applicant, of the time, place, and purpose of the hearing once in each of two successive weeks, the first publication not less than fourteen days before the day of said hearing. Notice shall be mailed to the applicant, to owners of all property within 300 feet of the property as they appear on the most

recent tax list, and to the Tyringham Planning Board, by the Commission at the cost of the applicant.

3. Determination - If after such hearing the Commission determines that the demolition of the significant building will not be detrimental to the historical or cultural heritage of the town as described under 4.4.2.5 above, the Commission shall so notify the Building Inspector within 10 days. Upon receipt of such notification or upon the failure of the Commission to act on the application within 45 days from the date it received the application, the Building Inspector may issue the demolition permit. If the Commission determines that the significant building has important associations with the economic, political or cultural development of the town or with important state or national figures or is an outstanding or last remaining example of a recognized architectural style, and is therefore preferably preserved, it shall so notify the Building Inspector in writing. No demolition permit may be issued until twelve months from the date of the Commission's determination. During this twelve-month period, the applicant shall present to the Historical Commission written evidence that a bona fide and reasonable effort has been made to preserve the building, or to locate a purchaser who is willing to preserve, rehabilitate or restore the building or structure on another property. The owner of a building determined to be significant may seek a predetermination by the Commission as to whether the building is preferably preserved by filing an application for a hearing before the Commission with the Building Inspector. The Commission shall schedule a public hearing under the notice provisions of 4.4.3.2 above. If, after a public hearing, the building is determined to be preferably preserved, no demolition permit shall be issued until twelve months after the completed demolition permit application is filed.

Any determination made by the Commission shall lapse one year from the date of the determination.

Notwithstanding the preceding paragraphs, the Building Inspector may issue a demolition permit for a preferably preserved building at any time after written receipt of notice from the Commission to the effect that the Commission is satisfied there is no reasonable likelihood that the owner or some other group is willing to preserve, rehabilitate or restore such building.

4. Emergency Measures - Nothing in the Bylaw shall restrict the Building Inspector from immediately ordering the demolition of unsafe structures in accordance with the provisions of Chapter 143 Massachusetts General Laws.

4.4.4 Enforcement -

The Commission and Building Inspector are each authorized to institute any and all proceedings in law and equity as they deem necessary and appropriate to obtain compliance with requirements of this bylaw, or to prevent violation thereof.

Violation shall be punished by a fine of not more than \$300.00 per day payable until such time as a demolition permit has been applied for in accordance with this bylaw. In addition, unless a demolition (or relocation) permit was obtained for such demolition, and unless such permit was fully complied with, the Inspector shall not issue a building permit pertaining to any property on which a building or structure identified and regulated by this section has been demolished, for a period of two (2) years from the date of demolition.

Upon determination by the Commission that the building is preferably preserved, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the Building Inspector. Should the owner fail to secure the building the loss of such building through fire or any other cause shall be considered voluntary demolition for the purposes of this bylaw.

4.4.5 Severability - If any section of this bylaw is, for any reason, declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force and effect.

SECTION 5: INTENSITY REGULATIONS

5.1 Size, Frontage, Setbacks. Any building or structure used for dwelling purposes or housing a principal permitted use, shall be so located on a lot as to meet the following requirements:

	Lot Size	Frontage	Front Setback	Rear and Side Setback
Agricultural Residential	1 Acre	200 ft.	50 ft.	30 ft.

Front setback is to be measured from the street right-of-way line where a plan of the way is on file with the Registry of Deeds, or in the absence of such plan from a line 25 feet from and parallel with the center line of the traveled way.

5.2 Septic or Leaching Fields. No septic or leaching field shall be placed within two hundred (200) feet of Goose Pond (including Upper-Goose, so-called) or any other lake or great pond, so-called, or Hop Book or tributaries.

5.3 Building Size, Area, Height. No building shall cover more than 5,000 square feet of land area. Such building shall not exceed 5% of the lot area on which it is located. The height of the building shall not be in excess of 36 feet, measured from the top of the foundation level. This Section shall not apply to Section 4.1.2 uses or 4.1.3 uses.

5.4 Setbacks: Non-dwelling units. Any structure of size 250 square feet or smaller (garage, shed, outbuilding) not used for a dwelling unit, and of permitted use, shall be so located to meet the following requirements:

Front setback: 50 feet

Side or rear set back: 10 feet Maximum height above grade: 14 feet

SECTION 6: SPECIAL PROVISIONS

6.1 Non-conforming Structures. Any lawful use of any building, structure, and / or land may be continued although not conforming with the provisions of this Bylaw but no such non-conforming use shall be changed, extended or enlarged in any manner, except as provided in Section 6.1.3.

6.1.1 If any non-conforming use of any building, structure, and / or land is changed to a conforming use, it shall not thereafter be put into any non-conforming use.

6.1.2 Any non-conforming use of land or of a building or structure discontinued for a period of not less than twenty four (24) consecutive months shall, by the terms of this Bylaw, constitute abandonment of non-conforming usage: Such land or building shall thereafter be used or developed only in accordance with the terms of this Bylaw. A non-conforming structure damaged by fire, explosion or any other catastrophe may be rebuilt provided such rebuilding, reconstruction or restoration shall be undertaken within two (2) years of such catastrophe and the structure as rebuilt, or restored shall not be in greater non-conformity with the provisions of the

Bylaw. Such rebuilt, reconstructed or restored structure may be enlarged or changed in use in accordance with the provisions of Section 6.1.3 herein.

6.1.3 An addition to an existing non-conforming single family residence in a residential district is permitted as a manner of right provided that the habitable addition does not increase the habitable floor area of the original structure by more than (50) percent and that any said addition meets street and lot line setback requirements in effect at the time of application.

6.1.4 The Zoning Board of Appeals may authorize by a special permit any extension, alteration or reconstruction of a non-conforming structure to provide for its use for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent, provided that no such extension, alteration, reconstruction or change in use shall be permitted unless the Zoning Board of Appeals finds:

- a) That such change, extension or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood;
- b) That such extended, altered and reconstructed structure or changed use shall not be in greater non-conformity with open space, yard and off street parking requirements of this Bylaw.

6.1.5 Nothing of Section 6, shall apply to billboards, signs and other advertising devices subject to the provisions of Section 29-33 inclusive, of Chapter 93 and Chapter 93D.

6.2 Sign Regulations.

6.2.1 No sign or advertising device shall be erected or placed in public view within Town limits without a permit from the Board of Selectmen, except descriptive residential signs or signs pertaining to the use, sale or rental of a dwelling when placed on property by an owner or occupant and providing such signs each do not exceed two (2) square feet in area.

A. Requests for permits shall be submitted along with a rendering of the proposed sign and may be approved by the Board of Selectmen in the following cases only:

1. Recreational establishments in the town. Such signs shall not exceed five (5) square feet in area.
2. On other than residential premises, signs shall be limited to the name of the firm or goods or services available, saleable, or produced on the premises. There shall not be more than two (2) signs or advertising devices per business, excepting those which are attached to and are part of the architectural design of a building or structure including a gas pump. The total area of all signs and/or advertising devices shall not exceed twenty (20) square feet per business nor shall any sign or device project above the eaves or parapet wall of any building to which it is affixed.
3. Non-conforming signs for special occasions not permitted in sub-section 1 and 2 above may be allowed upon application to the Board of Selectmen for a permit not to extend beyond the three (3) month period and upon such terms and conditions as the Board shall stipulate.
4. Any non-conforming sign in use at the time of the adoption of this bylaw may be continued and, if damaged or destroyed by fire, or other unavoidable cause may be restored to its former condition.
5. Any change in a non-conforming sign shall render that sign illegal and shall require a new permit.

B. In no case shall permits be granted for the following:

1. Billboards.

2. Signs or other advertising devices illuminated by other than shaded or indirect white incandescent lights.
3. Signs, banners, or other advertising devices which move, flash or reflect, or which are designed to attract the eye by intermittent or repeated motion or illumination.
4. Signs or lights, which because of their placement or direction and intensity of illumination, constitute a hazard to traffic.
5. A freestanding sign exceeding ten (10) feet in height.

6.2.2 Sound trucks and other advertising sound wagons or vehicles shall not operate on the public highways with said sound or other noise apparatus or devices in operation, except in accordance with a written permit from the Board of Selectmen.

6.3 Junk Cars or Parts.

6.3.1 No unregistered and dilapidated motor vehicle and/or parts thereof shall be permitted on premises if the same are in public view for a period in excess of four (4) weeks.

6.3.2 Upon application to the Board of Selectmen, a temporary permit may be issued to a property owner to keep no more than four (4) unregistered and dilapidated motor vehicles and/or parts thereof for useful purposes on his/her property, providing that, in judgment of the Board, they are suitable enclosed or screened.

6.4 Removal of Earth Material

A. No removal of earth materials, including the stripping of loam or topsoil shall be permitted except when incidental to or required in connection with the following activities:

1. The erection of a building or structure for which a permit has been properly issued.
2. The construction or restoration of a road.
3. Any use incidental to a permitted use.
4. The grading or landscaping of premises, providing this grading is not lower than any adjoining street.
5. Agricultural operations.

B. In no event shall any removal of earth materials, including the stripping of loam or topsoil, be permitted wherein said materials are removed from the parcel unless a special permit shall have first been obtained from the Board of Selectmen pursuant to General Laws, Chapter 40A, Section 4 and subject to the following safeguards:

1. The use will not be injurious, offensive or obnoxious to the neighborhood.
2. The area of excavation will be screened so as to reduce dust and noise.
3. At the termination of operations, the area of excavation will be graded and landscaped according to plans submitted with the special permit.
4. Such other requirements as the Board might reasonably impose.
5. The Board may require a bond with sufficient surety to guarantee the performance of these conditions.

6.5 Radioactive Waste

Deleted 2004

6.6 Curb Cut or Driveway Permit

No person shall construct or relocate a driveway or access road from private property to a public way or a way shown on an approved subdivision plan, without first having obtained a written permit from the Board of Selectmen. Applications shall be submitted to the Superintendent of Roads, who shall make recommendations to the Selectmen on issues relating to the installation of aprons, culverts and other features.

6.6.1 Application and Issuance -

Application for said permit shall contain a description of the proposed construction as far as it encroaches upon or affects the way and its shoulders, banks, ditches, drainage, and other features. The permit shall be issued with due consideration of traffic hazards and drainage problems which might result from the proposed driveway. The Permit Granting Authority shall issue or deny said permit within 14 days of application.

Any application for a driveway of such length or grade that it may discharge, in the judgment of the Permit Granting Authority, a substantial volume of water upon a way, or adjacent property, shall be denied until it includes such plans and specifications for proposed drainage facilities as may be required. Such facilities must be so designed as to reduce, disperse, and delay the runoff, or otherwise protect the traveled ways, drainage facilities, and adjacent lands from flooding, erosion, and siltation, and prevent the pollution of waterways or wetlands.

6.6.2 Design Requirements -

- a. Maximum unpaved driveway grade: 10%
- b. Maximum paved driveway grade: 12%
- c. Wherever possible, entrances are to set back sixty-five (65) feet or more from a street corner measured between the nearest edge of the driveway and the crossroad edge of pavement.
- d. Wherever possible, a clear sight distance of at least sixty-five (65) feet should be maintained on either side of the driveway at its point of intersection with the public way.
- e. Driveways shall be so constructed that water from the driveway shall not drain onto the road.
- f. In no instance shall the edges of the driveway entering into the road conflict with the flow of the surface water runoff.
- g. Culverts taking the place of roadside ditches shall have a diameter of not less than twelve (12) inches. Larger diameters may be required.

6.6.3 Design Requirements for Common Driveways

- a. A common driveway shall provide access to no more than three (3) dwelling units.
- b. Maximum length to the last fork of a common driveway shall be 1,000 feet.
- c. The traveled way shall have a minimum width according to the following schedule: If less than 500 feet in length, a minimum width of 12 feet. If more than 500 feet in length, a minimum width of 15 feet.
- d. Frontage on a common driveway may not be used to satisfy zoning frontage requirements.
- e. A common driveway must originate on approved frontage and must observe a twenty-five (25) foot setback from the sideline which the lot of origin shares with a lot not served by the common driveway. The design shall in the opinion of the Permit Granting Authority assure adequate safety and access for emergency vehicles.
- f. The application for a common driveway must be accompanied by a declaration of covenants, easements and restriction for the use and maintenance of said common drives.
- g. The sale of lots and/or the erection of buildings is prohibited until such time as the common driveway has been constructed in accordance with the permit approval plan.
- h. The Selectmen may grant a waiver of any of the requirements of Section 6.6.3, if they find that it will cause a hardship, financial or otherwise. The Selectmen reserve the right to impose conditions, limitations or safeguards on any permit or extension issued under these regulations, including the imposition of a bond to guarantee the faithful and satisfactory performance of the work.

6.6.4 Relation to Subdivision Regulations -

Where the proposed development constitutes a subdivision, any requirements in Subdivision Regulations of the Town of Tyringham regarding the design of ways shall supersede the requirements of this bylaw.